

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: DiPoto et al. Reissue Serial No.: 09/447,228 Reissue Filing Date: November 22, 1999 Title: SUTURE ANCHOR AND DRIVE ASSEMBLY

Assistant Commissioner for Patents Washington, DC 20231

OFFER TO SURRENDER

The undersigned, Smith & Nephew, Inc., being an assignee of the above-referenced U.S. Patent No. 5,690,676 as set forth in the CONSENT OF ASSIGNEE filed herewith, and Russell F. Warren hereby offer to surrender said Patent 5,690,676, the original of which is enclosed, and further request that Letters Patent be reissued upon the foregoing amended application.

Date: 2/10/00

Smith & Nephew, Inc. Bv nist Name PARKS Title:

PRESIDENT

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FILATS TRADEMANT	? :



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Russell F. Warren

Residence and Post Office Address: 121 Bedford Road, Greenwich, Connecticut 06831

Citizenship: U.S.A.

Date: _____

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: DiPoto et al. Reissue Serial No.: 09/447,228 Reissue Filing Date: November 22, 1999 Title: SUTURE ANCHOR AND DRIVE ASSEMBLY

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Smith & Nephew, Inc.

Date:	·

By:	
Name:	
Title:	

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Citizenship: U.S.A. Date: I(2)(0)

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Patentee: DiPoto et al. Reissue Serial No.: 09/447,228 Reissue Filing Date: November 22, 1999 Title: SUTURE ANCHOR AND DRIVE ASSEMBLY

Assistant Commissioner for Patents Washington, DC 20231

DECLARATION PURSUANT TO 37 C.F.R. §1.175

We, Gene Philip DiPoto, Jeffrey C. Cerier, Russell F. Warren, Gerard S. Carlozzi, Paul DiCarlo, James W. Dwyer and Alan Attridge Small, declare that we believe that we are the original and first inventors of the subject matter that is described and claimed in United States Patent No. 5,690,676 for which we solicit a reissue patent; that we have reviewed and understand the contents of the above identified reissue application, including its specification and claims; that we acknowledge the duty to disclose all information of which we are aware that is material to the examination of this reissue application in accordance with Title 37, Code of Federal Regulations (CFR), §1.56(a); that the aforesaid patent is partly inoperative by reason of claiming less than we had the right to claim in the patent; and that said inoperativeness is a result of error that arose inadvertently and without any deceptive intention.

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Please address communications to:

APR 2

Joel R. Petrow, Esq. Chief Patent Counsel Smith & Nephew North America 1450 Brooks Road Memphis, TN 38116 Please address all telephone calls to: Phyllis K. Kristal (617) 542-5070

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may

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1/29/ 2000 Date:

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____ Date: _____

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Date: 28 Jan 00	
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Citizenship: U.S.A.

Feb. 22,2000 Date:

Paul DiCarlo

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Citizenship: U.S.A.

Date:

Alan Attridge Small

Residence and Post Office Address:

131 Richdale Road, Needham, Massachusetts 02194

Citizenship: U.S.A.

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Date: 4/9/00

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PATENT ATTORNEY DOCKET NO. 00167/368001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee :	DiPoto et al.
Patent No.:	
Serial No.:	509,966
Issued :	November 25, 1997
	August 1, 1995
	SUTURE ANCHOR AND DRIVE ASSEMBLY

Assistant Commissioner for Patents Washington, DC 20231

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Patentee: DiPoto et al. Reissue Serial No.: 09/447,228 Reissue Filing Date: November 22, 1999 Title: SUTURE ANCHOR AND DRIVE ASSEMBLY

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 Alan Attridge Small

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 02194

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originally filing claims directed to subject matter that was garrower than we had a right to claim in the application (U.S. ial Number 08/091,092) that issued as the 5,690,676 patent. APR 2 4 2000 riginally filed claims were (and the claims of the 5,690,676 patent are) directed to an anchor and driver assembly; whereas TETRADE he specification more broadly describes, for example, an anchor having a rigid body defining a generally transverse opening extending through the body for receiving suture, the body having a non-helically extending exterior enlargement for engaging the bone upon insertion to resist withdrawal of the anchor from the bone (as claimed in reissue claim 19). (Patents 5,100,417⁷ and 5,258,016, from which the current reissue application claims priority, also do not claim the invention this broadly.) This error and any and all other errors being corrected in the reissue application arose without deceptive intention.

Please address communications to:

Joel R. Petrow, Esq. Chief Patent Counsel Smith & Nephew North America 1450 Brooks Road Memphis, TN 38116 Please address all telephone calls to: Phyllis K. Kristal (617) 542-5070

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may

Ger	ard	S	Carloz	zzi
L	u L U	<u> </u>	CULTON	

Residence and Post Office Address: 79 Tilden Road, Weymouth, Massachusetts 02109

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Citizenship: U.S.A.

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Date: _____

Paul DiCarlo

Residence and Post Office Address: 23 Sophie Lane, E. Falmouth, Massachusetts 02536

Citizenship: U.S.A.

Date:

James	W. Dwyer	
Residence and Post Office Address:	107 Obtuse Road So., Brookfield, 06804	Connecticut
Citizenship:	U.S.A.	
Date:		-7

Alan	Attridge Small
Residence and Post Office Address:	131 Richdale Road, Needham, Massachusetts 02194
Citizenship:	U.S.A.
Date:	

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jeopardize the validity of this application or any patents issued thereon.

Gene Philip DiPoto

Residence and Post Office Address: 23 Crockett Road, Milford, Massachusetts 01757

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Citizenship: U.S.A.

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Date: _____

Jeffrey C. Cerier

Residence and Post Office Address: 11 Orchard Street, Franklin, Massachusetts 02030 Citizenship: U.S.A.

____ Date:

Russell F. Warren

Residence and Post Office Address: 121 Bedford Road, Greenwich, Connecticut 06831

Citizenship: U.S.A.

Date: _____

Gerard S. Carlozzi

Residence and Post Office Address: 79 Tilden Road, Weymouth, Massachusetts 02109

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Citizenship: U.S.A.

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Date: _____

Paul DiCarlo

Residence and Post Office Address: 23 Sophie Lane, E. Falmouth, Massachusetts 02536

Citizenship: U.S.A.

Date:



PATENT ATTORNEY DOCKET NO. 0231/0314 00167/368001

UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: DiPoto et al. Reissue Serial No.: 09/447,228 Reissue Filing Date: November 22, 1999 Title: SUTURE ANCHOR AND DRIVE ASSEMBLY

Assistant Commissioner for Patents Washington, DC 20231

CONSENT OF ASSIGNEE

The undersigned, Smith & Nephew, Inc., being an assignee of the above-referenced U.S. Patent No. 5,690,676 by virtue of the following chain of title (copies of which are attached):

> an assignment from Gene Philip DiPoto, Jeffrey C. Cerier, Gerard S. Carlozzi, Paul DiCarlo, James W. Dwyer and Alan Attridge Small (all inventors except Russell F. Warren), to American Cyanamid Co. recorded on May 14, 1992, at Reel 6122, Frame 0993;

. . . .

an assignment from American Cyanamid Co. to Acufex Microsurgical, Inc. recorded on September 23, 1996, at Reel 8133, Frame 0690; and

a merger of Acufex Microsurgical, Inc. into Smith & Nephew, Inc. recorded on September 2, 1997, at Reel 8693, Frame 0261,

"EXPRESS MAIL" Mailing Label Number _

Date of Deposit

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

hereby consents to the accompanying reissue application.

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	Smith & Nephew, Inc.
Date: 2/10/00	By: Anney
	Name: RON SPARKS
	TITLE: PRESIDENT
	O'PE C
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PATENT & T	RADE		
Substitute Form PTO-1595	09-25-1996		Docket No.: RECEW
	-	/EK SHEET	SEP 2 3 1
Constraints of Potentia and The		<u>Y</u>	
Commissioner of Patents and Tra	100280169	al document:	CECEIPT ACCT
1. Name of conveying party(ies):	100200100	2. Name and address of receivi	ng narty(ies).
American Cyanamid Company		Acufex Microsurgical, Inc.	
		130 Forbes Boulevard	NIDIN
Additional name(s) attached?	Yes 🖬 No	Mansfield, MA 02048	11.00
			42346
3. Nature of conveyance:			
x Assignment		Additional names/addresses	attached? 🗆 Yes 🖬 No
Security Agreement			
Change of Name Other:			•
Execution Date: 4. Application number(s) or patent	number o'		
		cution date of the application is:	
A. Patent Appln. No.:	Filed:	B. Patent No.(s):	
552,815	7/16/90	4,781,183	
509,966	8/1/95	5,076,431	
509,966 326,989	8/1/95 10/21/94	5,076,431 4,433,687	
326,989	10/21/94	4,433,687 Des. 288,361 4,712,545	
326,989 525,496	10/21/94 9/8/95	4,433,687 Des. 288,361	
326,989 525,496 479,240	10/21/94 9/8/95 6/7/95	4,433,687 Des. 288,361 4,712,545	
326,989 525,496 479,240 541,394	10/21/94 9/8/95 6/7/95 10/10/95	4,433,687 Des. 288,361 4,712,545 Des. 289,437	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 -	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 - 5/25/93	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473	
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326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694 068.938 29/014,348 075,983	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 5/25/93 10/19/93 6/11/93	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473 5,059,201 5,258,015	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694 068.938 29/014,348 075,983 365,651	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 5/25/93 10/19/93 6/11/93 12/29/94	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473 5,059,201 5,258,015 5,139,499	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694 068.938 29/014,348 075,983 365,651 248,988	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 5/25/93 10/19/93 6/11/93 12/29/94 5/25/94	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473 5,059,201 5,258,015 5,139,499 5,423,819	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694 068.938 29/014,348 075,983 365,651 248,988 463,457	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 5/25/93 10/19/93 6/11/93 12/29/94 5/25/94 6/5/95	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473 5,059,201 5,258,015 5,139,499 5,423,819 5,139,520	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694 068.938 29/014,348 075,983 365,651 248,988 463,457 29/027,074	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 5/25/93 10/19/93 6/11/93 12/29/94 5/25/94 6/5/95 8/12/94	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473 5,059,201 5,258,015 5,139,499 5,423,819 5,139,520 5,374,269	
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326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694 068.938 29/014,348 075,983 365,651 248,988 463,457 29/027,074	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 5/25/93 10/19/93 6/11/93 12/29/94 5/25/94 6/5/95 8/12/94	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473 5,059,201 5,258,015 5,139,499 5,423,819 5,139,520 5,374,269 5,041,129 5,269,809	
326,989 525,496 479,240 541,394 502,103 366,514 29/048,825 29/048,824 097,694 068.938 29/014,348 075,983 365,651 248,988 463,457 29/027,074	10/21/94 9/8/95 6/7/95 10/10/95 7/13/95 12/30/94 1/2/96 1/2/96 7/27/93 5/25/93 10/19/93 6/11/93 12/29/94 5/25/94 6/5/95 8/12/94	4,433,687 Des. 288,361 4,712,545 Des. 289,437 4,655,752 Des. 276,649 Des. 286,567 Des. 286,438 Des. 289,330 4,669,473 5,059,201 5,258,015 5,139,499 5,423,819 5,139,520 5,374,269 5,041,129	

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5,236,445 Des. 332,141 Des. 330,591 Des. 331,464 Des. 331,463 Des. 332,492 Des. 331,626 5,180,388

5,100,417

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2 ptenuer 18 1996 Date of Deposit_ I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

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5,258,016
5,152,790
5,163,940
5,192,287
5,364,400
5,366,477
5,306,301
Des. 360,687
Des. 359,355
Des. 360,688
Des. 356,154

Additional numbers attached? 🗆 Yes 🗰 No

5. Name/address of party to whom correspondence concerning document should be mailed:

Peter J. Devlin, Esq. Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110-2804 6. Total number of applications/patents involved: 61

- 7. Total fee (37 CFR 3.41):
 Enclosed
 Authorized to charge deposit account
- Deposit account number: 06-1050
 If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

DO NOT USE THIS SPACE

9. Statement and signature: To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.

Peter	J. J	Devlin	
Name	of	Person	Signing

ing 'Signature I Total number of pages including cover sheet, attachments, and document: 12

PATENT REFE: 8133 FRAME: 0691

PATENT ASSIGNMENT

WHEREAS, American Cyanamid Company (hereinafter referred to as "ASSIGNOR"), has invented, acquired or otherwise owns certain inventions relating to surgical apparatus for which applications for Letters Patent have been filed and granted as set forth on the attached Schedule A; and

WHEREAS, ASSIGNOR wishes to assign such inventions to Acufex Microsurgical, Inc., (hereinafter referred to as "ASSIGNEE"), and ASSIGNEE wishes to accept the assignment of such inventions;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that ASSIGNOR hereby assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said inventions, the applications for Letters Patent, and the Letters Patent set forth above on the attached Schedule A, and any and all continuations, continuations-in-part, divisionals, re-examinations or reissues of said Letters Patent for the full term thereof, this assignment including Assignor's entire right to bring suit for past infringement of said Letters Patent and to recover damages from any said past infringement, and to assert any claim, action, or cause of action that may have arisen prior to the date of this assignment or thereafter under said Letters Patent.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said inventions and said Letters Patent as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to maintain and enforce said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

Egon E. Berg Name: Title: Assistant Secretar

STATE OF NEW JERSEY) :SS: COUNTY OF MORRIS)

On this $1/7^{th}$ day of May, 1996, before me personally appeared Egon E. Berg, to me know and known to me to be Assistant Secretary of American Cyanamid Company who executed the foregoing instrument, and he acknowledged to me that he executed the same.

Clarre Brueno Notary Public

Stary Public CLAIRE BRUENO Notary Public, State of New Jersey PATTEN No. 2010245 RELUE: 8133 FRANCE Spires April 3, 2001

SCHEDULE A

Docket No: Title:	AM-30049 Surgical Prosthesis				
1118-	Country	Serial No.	Bline Date	B N	
	US	Serial 140.	Filing Date	Patent No.	Issue Date
	Australia			4,781,183	11/1/88
	Belgium			599413	11/27/90
	Canada			EP258692	6/15/94
	Denmark			1263791	12/5/89 -
	EPC			169278	10/3/94
	Finland	873700	8/26/87	EP258692	6/15/94
	France	015100	8/20/81	EP258692	
	Great Britain				6/15/94
	Germany			EP258692 P3750061.9-08	6/15/94
	Israel				6/15/94
	Italy			83538	3/29/92
	Japan	210359	8/26/87	27573BE/94	6/15/94
	Korea	9363/1987	8/26/87		
	Netherlands	/200/1701	8/20/8/	EP258692	
	Norway			172169	6/15/94
	South Africa			87/6366	6/16/93
	Spain			EP258692	4/27/88
	Sweden			EP258592	6/15/94
	Switzerland			EP258692	6/15/94
	Taiwan			NI-40542	6/15/94
				141-40542	11/16/90
Docket No:	AM-31147				
Title:	Direct Dispensing Pa	ckage			
	Country	Serial No.	Filing Date	Patent No.	Issue Date
4	US			5,076,431	12/31/91
					~~/ 31/71
Docket No:	AN-31463				
Title:	Microsurgical Scissor	5			
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US			4,433,687	2/28/84
Docket No: Title:	AM-31465		•	•	
11186:	Handle for Surgical I				
	Country_	Serial No.	Filing Date	Patent No.	Issue Date
	US			Des. 288,361	2/17/87
Docket No:	AM-31466-01				
Title:					
1 11.00	Surgical Instrument	Sec. No		_	
	Country US	Serial No.	Filing Date	Patent No.	Issue Date
	03			4,712,545	12/15/87
Docket No:	AM-31467				
Title:	Combined Handle and	1 Shank for Survival	Increment		
1100.	Country_	Serial No.	Filing Date	Dura a M	
	U:	<u>52118 140.</u>	Citile Date	Patent No.	Locue Date
	-			Des. 289,437	4/21/87
Docket No:	AM-31468-01				
Title:	Surgical Cannula				
	Country	Serial No.	Filing Date	Patent No.	Innua Data
	US		the suit		Issue Date
				4,655,7.2	4/7/87
Ducket No:	AM-31469				
Title:	Surgical Cannula				
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US			Des. 276,649	12/4/84

PATENT RELE: 8133 FRAME: 0693



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Docket No:	AM-31470				
Title:	Surgical Trocar				
	Country	Serial No.	Filing Date	Patent No.	Terris Data
	US		THEN DOIL	Des. 286_567	Issue Date
	63			DGL 280,007	11/4/86
Docket No.:	AM-31471				
Tide:					
Line:	Surgical Obturator				
	Country	Serial No.	Piling Date	Patent No.	Issue Date
	US			Dcs. 286,438	10/28/86
					• •
Docket No.:	AM-31474				
Title:	Handle for Surgical	Instrument			
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US			Des. 289.330	4/14/87
					-12/01
Docket No.:	AM-31483				
Title:	Surgical Fastener				
	•	Scrial No.	Elling Data	Determine bla	
	<u>Country</u> US	Seriar Ivo.	Filing Date	Patent No.	Issue Date
			•	4,669,473	6/2/87
	Australia			593582	6/6/90
	Belgium			EP236427	8/4/93
	Canada			1259874	9/26/89
	EPC			EP236427	8/4/93
	Prace			EP236427	8/4/93
	Great Britain			EP236427	8/4/93
	Germany	•		P3688839.7-06	8/4/93
	Italy			EP236427	
	Japan			1804598	8/4/93
	Netherlands				11/26/93
	PCT	US86/01748	0 /m /m	EP236427	8/4/93
	Secton	0366/01/48	8/22/86		
	Switzerland			EP236427	8/4/93
	Switzenabu			EP236427	8/4/93
0.4.4			•		
Docket No.:	AM-31490-02				
Title:	Suture Inreading, St	utching and Wrapping		d Closed Surgical Procedures	1
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US _	-		5059201	10/22/91
Docket No:	AM-31491				
Title:	Locking Filament Ca	DS .			
	Country	Serial No.	Filing Date	Patent No.	James Date
	US		- the state	5,258,015	Issue Date
				5,00,015	11/2/93
Docket No.:	AM-31514-01				
Title:	Screw and Driver				
I JUNE	Country	Serial No.	RC Dit		
	US	Schar 140.	Filing Date	Patent No.	Issue Date
	05			5,139,499	8/18/92
Destan M.	10 998-4 00				
Docket No.:	~M-31514-02				
Title:	Screw and Driver				
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US			5,423,819	6/13/95
				* - · • · - *	-, <u></u> ,
Docket No.:	AM-31521				
Title:	Method for ACL Reco	onstruction			
		Serial No.	Filing Date	Potes, N-	Inc. D
	US		LINUE D'ALC	Pater, No.	Issue Date
				5,139,520	8/18/92

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PATENT REEL: 8133 FRAME: 0694

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Docket No.:	AM-31521-01				
Title:		ment for ACL Reconstr			
	CountryUS	<u>Serial No.</u>	Filing Date	<u>Patent No.</u> 5,374,269	<u>Issue Date</u> 12/20/94
Docket No:	AM-31523				
Title:		abox and Mathed of As-	harian a Comu		
11002		chor and Method of An Serial No.	U		
	<u>Country</u> US	Serial 190.	Filing Date	<u>Patent No.</u> 5,041,129	Issue Date
	Australia			65346	8/20/91
	Canada	2046010	6/28/91	0348	2/10/95
	Denmark			EP464480	3/29/95
	EPC			EP464480	3/29/95
	France			EP464480	3/29/95
	Great Britain			EP464480	3/29/95
	Germany			EP464480	3/29/95
	Greece			EP464480	3/29/95
	Japan	184027/91	6/28/91		
	Korea	11105/01	7/1/91		
	Luxembourg			EP464480	3/29/95
	Tajwan			NI-56833	6/21/92
Docket No.:	AM-31523-01				
Title:		a for Use with a Slotted			
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US			\$,269,809	12/14/93
Docket No.:	AM-31524				
Title:		Method of Anchoring a	Suture to a Bone		
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US	70 400 fre		5,037,422	8/6/91
	Australia	79498/91	7/1/91		
	Austria Belgium			EP464479	3/1/95
	Canada	2045903-4	6/28/91	EP464479	3/1/95
	Denmark	2043743-4	6/23/91	EP464479	- 4- m- ⁻
	EPC		- ,	EP464479	3/1/95
	France			EP464479	3/1/95 3/1/95
	Great Britain			EP464479	2/1/95
	Germany			EP464479	3/1/95
	Greece			EP464479	3/1/95
	Italy			EP464479	3/1/95
	Japan	184007/91	6/28/91		-,-,
	Korea	11104/1991	7/1/91		
	Luxembourg			EP464479	3/1/95
	Netherlands			EP464479	3/1/95
	Spain			EP464479	3/1/95
	Sw. Jen			EP464479	3/1/95
	Switzerland			EP464479	3/1/95
Docket No.:	AM-31524-01				
Title:		Method of Anchoring a			
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US			5,224,946	7/6/93
	AM-31524-02				
	Expandable Bone		Anchoring a Suture to a Bo	0e	
Docket No.: Title:		Anchor and Method of A Serial No.	Ancboring a Suture to a Bor Filing Date	ae Patent No.	Issue Date

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PATENT REFE: \$133 FRAME: 0695

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Docket No.:

AM-31525

Denmark

Germany Greece

Great Britain

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France

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Spain

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Switzerland

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Tit	k:	Tibial Aimer <u>Country</u> US	<u>Serial No.</u>	Filing Date	Patent No. Des. 332,141	<u>Issue Date</u> 12/29/92
Do Titi	cket No.: le:	AM-31526 Suture Anchor Driver <u>Country</u> US	<u>Serial No.</u>	Filing Date_	<u>Patent No.</u> Des. 330,591	<u>Issue Date</u> 10/27/92
Do Tit	chet No.: le:	AM-3152? Cannulated Drill <u>Country</u> US	<u>Serial No.</u>	<u> Piling Date</u>	<u>Patent No.</u> Des. 331.464	Issue Date 12/1/92
	chet No.:	AM-31528				
Tit	le:	Suture Anchor Peg <u>Country</u> US	Serial No.	Filing Date	Patent No. Des. 331,463	Issue Date 12/1/92
	cket No.:	AM-31530				
Tit	k:	Bone Drill Bit for Bone <u>Country</u> US	Fasteners Serial No.	Piling Date	Patent No. Des. 332.492	<u>Issue Date</u> 1/12/93
Do Tit	cket No.: le:	AM-31531 Bone Anchor <u>Country</u> US	<u>Serial No.</u>	Filing Date	<u>Patent No.</u> Des. 331,626	<u>Issue Date</u> 12/8/92
Do	cket No.:	AM-31532**				
Tat	le:	Method and Instruments <u>Country</u> US	for ACL Reconstruction Serial No. 552815	Filing Date 7/16/90	Patent_No.	Issue Date
••s	itatus Being Determine	d - File Not Available i	n St. Louis			
Do Tid	cket No.: ie:	AM-31533 Bone Pinning System <u>Country</u> US	<u>Serial No.</u>	Filing Date	Patent No.	Issue Date
		US Australia Austria Belgium Cania	79388/91 91110021.2 91110021.2 2045772-4	6/27/91 6/19/91 6/19/91 6/26/91	5,180,388	1/19/93
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Docket No.:	AM-31534				
Title:	Suture Anchor and	d Driver Assembly			
	<u>Country</u> US	Serial No.	Filing Date	Patent No. 5,100,417	Issue Date
	Australia	80406/91	7/12/91	5,200,427	3/31/92
	Austria	91110405.7	6/24/91		
	Belgium	91110405.7			
	Canada	2046849.1	6/24/91		
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	Denmark	91110405.7	6/24/91		
	EPC	91110405.7	6/24/91		
	France	91110405.7	6/24/91		
	Great Britain	91110405.7	6/24/91		
	Germany	91110405.7	6/24/91		
	Greece	91110405.7	6/24/91		
	Italy	91110405.7	6/24/91		
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	Korea	11907/1991	7/12/91		
	Luxembourg	91110405.7	6/24/91		
	Netherlands	91110405.7	6/24/91		
	Spain	91110405.7	6/24/91		
	Sweden	91110405.7	6/24/91		
	Switzerland	91110405.7	6/24/91		
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Docket Nor	AM-31534-02				
Title:	Suture Anchor and	Driver Assembly			
1 1000-	Country	Serial No.	Elian Data	Deces N	
	US	<u>Sellar Ivo.</u>	Filing Date	<u>Patent No.</u> 5,258,016	<u>Issue Date</u> 11/2/93
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Docket No:	AM-31534-03				
Title:	Suture Anchor and	•			
	Country	Serial No.	Piling Date	Patent No.	Issue Date
	US	509,966	8/1/95		
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Docket No:	AM-31640				
Title:		uction Graft Anchor Aj			
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US		· •	5,152,790	10/6/92
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Docket No:	AM-31641				
Title:	Surgical Drill Guid				
	Country	Scrial No.	Filing Date	Patent No.	Issue Date
	US			5,163,940	11/17/92
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Docket No.:	AM-31642				
Title:	Suture Knot Tying	Device			
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US			5,192,287	3/9/93
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Docket No:	AM-31697	_			
Title:	-	and Coatings for Surgical	I Uses		
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	Australia	36186/93	2/12/93		
	Austria	93905044.9	2/12/93		
	Belgium	93905044.9	2/12/93		
	Caneda	2130083	2/12/93		
	Denmark	93905044.9	2/12/93		
	EPC	93905044.9	2/12/93		
	Finland	943731	2/12/02		
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		00006044.0			
	France	93905044.9	2/12/93		
	Prance Great Britain	93905044.9	2/12/93		
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	Japan	514304/93	8/15/94		
	Luxembourg	93905044.9	2/12/93		
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	Portugal	93905044.9	2/12/93		
	Spain Sweden	93905044.9	2/12/93		
	Switzerland	93905044.9	2/12/93 2/12/93		
Docket No.:	AM-31697-01				
Title:	Interference Implan			B	
	<u>Country</u> US	Serial No.	Filing Date	<u>Patent_No.</u> 5,364,400	<u>Issue_Date</u> 11/15/94
Docket No.; Title:	AM-31740	manumission Link and A	assembly for Use in Surgical	l Instances	
	<u>Country</u>	Serial No.			Innue Data
	US	Schlar 140.	Filing Date	<u>Patent No.</u> 5,366,477	Issue Date
	Australia	27075/92	10/15/92	3,300,477	11/22/94
	Austria	92115817.6	9/16/92		
	Belgium	92115817.6	9/16/92		
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	Great Britain	92115817.6	9/16/92		
	Germany	92115817.6	9/16/92		
	Greece	92115817.6	9/16/92		
	Ireland	92115817.6	9/16/92		
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	Mexico	925868	10/13/92		
	Netherlands	92115817.6	. 9/16/92	. •	
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	Portugal	92115817.6	9/16/92		
	South Africa			92/8019	6/30/93
	Spain	92115817.6	9/16/92		
	Sweden	92115817.6	9/16/92		
	Switzerland	92115817.6	9/16/92		
	Taiwan	81109179	11/17/92		
	Venezuela	296/93	3/4/93		
Docket No.:	AM-31740-01				
Title:	Actv ting Forces T	ransmission Link and A	assembly for Use in Surgical	Instruments	
	Country_	Serial No.	Filing Date	Patent No.	Issue Date
	US	326989	10/21/94		
Docket No.:	AM-31782				
Title:	Surgical Fastener w	ith Selectively Coated	Ridges		
	Country	Serial No.	Filing Date	Patent No.	Issue Date
	US	525,496	9/8/95		
Ducket No.:	AM-31797				
Title:	Suture Securing De	vice and Method			
2 (1. Mar.	Country	Serial No.	Filing Date	Patent No	Icrus Data
	US	479,240	6/7/95	Patent No.	Issue Date
	Australia	50726/93	11/16/93		
	Austria	93116614.4	10/14/93		
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Title:	Polygonal Bone Pur		*	_	
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Title:	Pluted Surgical Pas	•			
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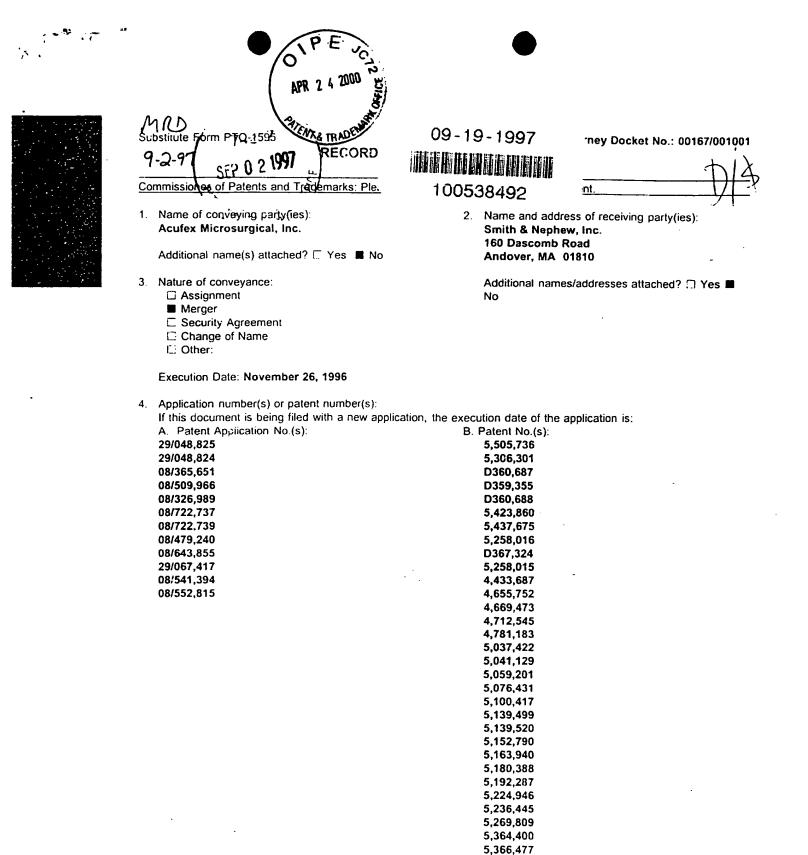
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00000...6 5505736 2320.00 DP Date of Deposit <u>FUCDS</u> **T**[141] Thereby certify under 37 CFR 1 8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Congrussioner for Patents, Washington, D.C. 20231.

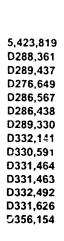
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Additional numbers attached? 🗇 Yes 🔳 No

5. Name/address of party to whom correspondence concerning document should be mailed:

Peter J. Devlin Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110-2804

- 6. Total number of applications/patents involved: 58
- 7. Totał fee (37 CFR 3.41): \$2,320.00
 Enclosed
 □ Authorized to charge deposit account
- Deposit account number: 06-1050
 If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

DO NOT USE THIS SPACE

9. Statement and signature: To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.

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Signature

Name of Person Signing Total number of pages including cover sheet, attachments, and document: 8

PAGE 1

State of Delaware Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"ACUFEX MICROSURGICAL, INC.", A MASSACHUSETTS CORPORATION, "SMITH & NEPHEW CASTING, INC.", A DELAWARE CORPORATION, "SMITH & NEPHEW DONJOY, INC.", A CALIFORNIA CORPORATION, "SMITH & NEPHEW ENDOSCOPY, INC.", A MASSACHUSETTS CORPORATION,

"SMITH & NEPHEW RICHARDS, INC.", A DELAWARE CORFORATION, "SMITH & NEPHEW ROLYAN, INC.", A WISCONSIN CORPORATION, "SMITH & NEPHEW UNITED, INC.", A DELAWARE CORPORATION,

WITH AND INTO "SMITH & NEPHEW, INC." UNDER THE NAME OF "SMITH & NEPHEW, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SIXTH DAY OF NOVEMBER, A.D. 1996, AT 10 O'CLOCK A.M.



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CERTIFICATE OF OWNERSHIP AND MERGER MERGING SMITH & NEPHEW RICHARDS, INC., a Delaware corporation, SMITH & NEPHEW ENDOSCOPY, INC., a Massachusetts corporation, SMITH & NEPHEW DONJOY, INC., a California corporation, SMITH & NEPHEW ROLYAN, INC., a Wisconsin corporation, SMITH & NEPHEW UNITED, INC., a Delaware corporation, ACUFEX MICROSURGICAL, INC., a Massachusetts corporation, AND SMITH & NEPHEW CASTING, INC., a Delaware corporation, INTO SMITH & NEPHEW, INC., a Delaware corporation

We, P. D. <u>Softwith</u>, the <u>President</u>, and <u>Ben Parrish</u> <u>Sec. clary</u> of SMITH & NEPHEW, INC., DO HEREBY CERTIFY FIRST That we are the <u>Precident</u> and the <u>fisct Secretary</u>.

respectively, of this corporation.

SECOND: That this corporation was incorporated on the 6th day of November 1975, and is existing pursuant to the General Corporation Law of the State of Delaware, the provisions of which permit the merger of a subsidiary corporation of another state into a parent corporation organized and existing under the laws of said state (including a merger in the manner provided by Section 1110 of the California Corporations Code).

THIRD: That this corporation owns all of the outstanding shares of the stock of SMITH & NEPHEW RICHARDS, INC. ("Richards"), a corporation incorporated on the 10th day of April, 1968, pursuant to the General Corporation Law of the State of Delaware, the provisions of which permit a merger in the manner provided by Section 1110 of the California Corporations Code

FOURTH: That this corporation owns all of the outstanding shares of the stock of SMITH & NEPHEW ENDOSCOPY, INC. ("Endoscopy"), a corporation incorporated on the

> PATENT REEL: 8693 FRAME: 0264

11th day of May, 1964, pursuant to the Business Corporation Law of the State of Massachusetts, the provisions of which permit a merger in the manner provided by Section 1110 of the California Corporations Code.

FIFTH: That this corporation owns all of the outstanding shares of the stock of SMITH & NEPHEW DONJOY, INC ("DonJoy"), a corporation incorporated on the 28th day of December, 1982, pursuant to the Corporations Code of the State of California.

SIXTH: That this corporation owns all of the outstanding shares of the stock of SMITH & NEPHEW ROLYAN, INC. ("Rolyan"), a corporation incorporated on the 30th day of January, 1967, pursuant to the Business Corporation Law of the State of Wisconsin, the provisions of which permit a merger in the manner provided by Section 1110 of the California Corporations Code.

SEVENTH: That this corporation owns all of the outstanding shares of the stock of SMITH & NEPHEW UNITED, INC. ("United"), a corporation incorporated on the 14th day of April, 1986, pursuant to the General Corporation Law of the State of Delaware, the provisions of which permit a merger in the manner provided by Section 1110 of the California Corporations Code.

EIGHTH: That this corporation owns all of the outstanding shares of the stock of ACUFEX MICROSURGICAL, INC. ("Acufex"), a corporation incorporated on the 15th day of November, 1985, pursuant to the Business Corporation Law of the State of Massachusetts, the provisions of which permit a merger in the manner provided by Section 1110 of the California Corporations Cede

NINTH: That this corporation owns all of the outstanding shares of the stock of SMITH & NEPHEW CASTING, INC. ("Casting"), a corporation incorporated on the 5th day of June, 1996, pursuant to the General Corporation Law of the State of Delaware, the provisions of which permit a merger in the manner provided by Section 1110 of the California Corporations Code.

TENTH: That this corporation, by the following resolutions of its Board of Directors, duly adopted by the unanimous consent of its members, filed with the minutes of the Board on the day of November, 1996, pursuant to Sections 141(f) and 253 of the General Corporation Law of the State of Delaware, as amended, determined to and, effective as of November 30, 1996, did merge into itself said Richards, Endoscopy, DonJoy, Rolyan, United, Acufex and Casting, and assumed all of their obligations

WHEREAS, the Corporation is the legal and beneficial owner of all of the outstanding shares of Common Stock, \$100 par value per share, of Smith & Nephew Richards, Inc., a Delaware corporation ("Richards Common Stock"), and such Richards Common Stock is the only issued and outstanding class of stock of Smith & Nephew Richards, Inc. ("Richards").



WHEREAS, the Corporation is the legal and beneficial owner of all of the outstanding shares of Common Stock, \$1.00 par value per share, of Smith & Nephew Endoscopy, Inc., a Massachusetts corporation ("Endoscopy Common Stock"), and such Endoscopy Common Stock is the only issued and outstanding class of stock of Smith & Nephew Endoscopy, Inc.("Endoscopy");

WHEREAS, the Corporation is the legal and beneficial owner of all of the outstanding shares of Common Stock, without par value, of Smith & Nephew DonJoy, Inc., a California corporation ("DonJoy Common Stock"), and such DonJoy Common Stock is the only issued and outstanding class of stock of Smith & Nephew DonJoy, Inc. ("DonJoy");

WHEREAS, the Corporation is the legal and beneficial owner of all of the outstanding shares of Common Stock, S0 10 par value per share, of Smith & Nephew Rolyan, Inc., a Wisconsin corporation ("Rolyan Common Stock"), and such Rolyan Common Stock is the only issued and outstanding class of stock of Smith & Nephew Rolyan, Inc.("Rolyan");

WHEREAS. the Corporation is the legal and beneficial owner of all of the outstanding shares of Common Stock, \$100 par value per share, of Smith & Nephew United, Inc., a Delaware corporation ("United Common Stock"), and such United Common Stock is the only issued and outstanding class of stock of Smith & Nephew United, Inc. ("United");

WHEREAS, the Corporation is the legal and beneficial owner of all of the outstanding shares of Common Stock, \$1.00 par value per share, of Acufex Microsurgical, Inc., a Massachusetts corporation ("Acufex Common Stock"), and such Acufex Common Stock is the only issued and outstanding class of stock of Acufex Microsurgical, Inc. ("Acufex");

WHEREAS, the Corporation is the legal and beneficial owner of all of the outstanding shares of Common Stock, without par value, of Smith & Nephew. Casting, Inc., a Delaware corporation ("Casting Common Stock"), and such Casting Common Stock is the only issued and outstanding class of stock of Smith & Nephew Casting, Inc. ("Casting"); and

WHEREAS, this Board of Directors has reviewed the Plan of Merger attached to these minute: and determined that the merger of Richards. Endoscopy, DonJoy, Rolyan, United, Acufex and Casting (collectively, the "Named Subsidiaries") into the Corporation and the other transactions contemplated by the Plan of Merger are in the best interests of the Corporation

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NOW, THEREFORE, BE IT RESOLVED, that this Board of Directors hereby approves and adopts the Plan of Merger, including all attachments thereto, pursuant to (i) Section 253 of the General Corporation Law of the State of Delaware, (ii) Section 82 of the Business Corporation Law of the State of Massachusetts, (iii) Section 1110 of the California Corporations Code and (iv) Section 180.1104 of the Business Corporation Law of the State of Wisconsin.

[THE EXHIBITS TO THE PLAN OF MERGER HAVE BEEN INTENTIONALLY OMITTED FROM THIS CERTIFICATE]

FURTHER RESOLVED, that, effective as provided in the immediately succeeding resolution, the Corporation shall merge into itself the Named Subsidiaries and assume all of their obligations

FURTHER RESOLVED, that this Board of Directors hereby approves the merger of the Named Subsidiaries with and into the Corporation in accordance with the Plan of Merger, effective as of November 30, 1996, or such other date as shall be determined by the officers of the Corporation.

FURTHER RESOLVED, that the President or any other officer of the Corporation be and each hereby is authorized to make and execute (i) a Certificate of Ownership and Merger in the form attached as Exhibit E to the Plan of Merger and to cause the same to be filed with the Secretary of State of each of the States of Delaware and California, and (ii) Articles of Merger in the form attached as Exhibit G to the Plan of Merger and to cause the same to be filed with the Secretary of State of the State of the State of Wisconsin, and to do all acts and things whatsoever, whether within or without the State of Delaware and the State of California, which may be in any way necessary or desirable to effect said merger and all other transactions contemplated by the Plan of Merger.

FUPTHER RESOLVED, that the President or any Vice President and the Secretary or any Assistant Secretary of the Corporation be and each hereby is authorized to make and execute Articles of Merger in the form attached as <u>Exhibit</u> <u>E</u> to the Plan of Merger and to cause the same to be filed with the Secretary of State of the State of Massachusetts, and to do all acts and things whatsoever whether within or without the State of Delaware, which may be in any way necessary or desirable to effect said merger and all other transactions contemplated by the Plan of Merger.

FURTHER RESOLVED, that the Corporation, as the sole shareholder of each of the above-named subsidiaries, waives the mailing requirement imposed by Section 180.1104 of the Business Corporation Law of the State of Wisconsin.



FURTHER RESOLVED, that the officers of the Corporation and each of them, be, and they hereby are, authorized and directed to execute and deliver all certificates and other instruments and to do or cause to be done any and all acts and things as may be necessary or desirable to carry out the purposes of the foregoing resolutions.

ELEVENTH: This Certificate shall be effective as of November 30, 1996.

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SMITH & NEPHEW, INC.

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[REV.4Apr89/MB16-3]

Docket No. <u>31,534-02</u>

PATENT

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For: [X] U.S. and/or [X] Foreign Rights For: [X] U.S. Application or [] U.S. Patent For: [X] Inventor(s) or [] Present Owner

APR 2 4 200

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of good and valuable consideration, the receipt of which is hereby acknowledged,

ASSIGNOR:

- Full Name of Inventor: <u>GENE PHILIP DiPOTO</u> Residence: <u>154 Bear Hill Road, Cumberland, RI 02864</u> Citizenship: <u>U.S.A.</u>
- (2) Full Name of Inventor: <u>JEFFREY C. CERIER</u> Residence: <u>11 Orchard Street, Franklin Massachusetts 02038</u> Citizenship: <u>U.S.A.</u>
- (3) Full Name of Inventor: <u>GERARD S. CARLOZZI</u> Residence: <u>79 Tilden Road</u>, Weymouth, <u>Massachusetts 02190</u> Citizenship: <u>U.S.A.</u>

 (4) Full Name of Inventor: <u>PAUL DiCARLO</u> Residence: <u>23 Sophie Lane, E. Falmouth, Massachusetts 02536</u> Citizenship: <u>U.S.A.</u>

- (5) Full Name of Inventor: <u>JAMES W. DWYER</u>
 Residence: <u>107 Obtuse Road So.</u>, <u>Brookfield</u>, <u>CT 06804</u>
 Citizenship: <u>U.S.A.</u>
- (6) Full Name of Inventor: <u>ALAN ATTRIDGE SMALL</u> Residence: <u>131 Richdale Road, Needham, Massachusetts 02194</u> Citizenship: <u>U.S.A.</u>

Page 1 of 6 pages

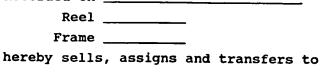
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REE

FRAME

(if assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO, add the following):

Recorded on __



ASSIGNEE:

AMERICAN CYANAMID COMPANY 1937 WEST MAIN STREET, P. O. BOX 60

STAMFORD, CONNECTICUT 06904-0060

and the successors, assigns and legal representatives of the ASSIGNEE his entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled: <u>IMPROVED SUTURE ANCHOR AND DRIVER ASSEMBLY</u>

[check and complete (a), (b), (c) or (d)] and which is found in

- (a) [] U.S. patent application executed on even date herewith
- (b) [] U.S. patent application executed on _
- (c) [x] U.S. application Serial No. 07/836,679 filed on February 14, 1992
- (d) [] U.S. Patent No. _____ issued ____

(also check (c) if foreign application(s) is also being assigned)

(e) [] and any legal equivalent thereof in a foreign country, including the right to claim priority and in and to all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

Docket No. <u>31,534-02</u>

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ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR authorizes ASSIGNEE to make applications for and to receive Letters Patent for said invention in any of said countries in its own name, or in ASSIGNOR'S name, at its election.

ASSIGNOR covenants and agrees to execute or procure any further necessary assurance of the title to said invention and any Letters Patent which may issue therefor and to, at any time, upon the request and at the expense of ASSIGNEE deliver any testimony in any interference, litigation or proceeding related thereto and execute all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patent which may be granted therefor in ASSIGNEE, its successors, assigns or other legal representatives, and that to, at any time, upon the request and at the expense of ASSIGNEE execute any continuations, continuations-in-part, divisional, renewal or substitute thereof, and as to Letters Patent and reissue or re-examination thereof, or any other additional applications for Letters Patent for said invention or any part or parts thereof, all of which applications and any Letters Patent issuing thereon are hereby assigned to ASSIGNEE, and will make all rightful oaths or declarations, and do all lawful acts requisite for procuring the same therein, without further compensation, but at the expense of ASSIGNEE, its successors, assigns or other legal representatives.

ASSIGNOR authorizes and requests the Commissioner of Patents to issue any and all Letters Patent of the United States for said invention, resulting from any of the aforesaid applications to said ACUFEX MICROSURGICAL, INC., as his ASSIGNEE.

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DOCKET NO. <u>31,534-02</u>	
WITNESS my hand and seal this 4^{H} day of May 1992	
<u>Gene P. D. Poto</u> L.S. Gene Philip DiPoto	میں ہے۔
ACKNOWLEDGEMENT	
State of <u>MASSACUSETTS</u> } ss: County of <u>NORFOLK</u> }	
On this <u>414</u> day of <u>May</u> , 1992, personally appeared before me <u>GENE PHILIP DiPOTO</u> , to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth.	
<u>Nisa A. McCan</u> Notary Public Lep- 12/13/96	•
WITNESS my hand and seal this $_6^{+}h$ day of \underline{April} , 1992	REEL 6 2 2
Jeffrey/C. Cerier L.S.	FRA 09
<u>ACKNOWLEDGEMENT</u>	97 97
State of <u>MASSACUSETTS</u> County of <u>NORFOLK</u> On this <u>6</u> day of <u>April</u> , 1992, personally appeared before me <u>JEFFREY C. CERIER</u> , to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth.	
Notary Public Notary Public	

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Docket No. <u>31,534-02</u> WITNESS my hand and seal this 2th day of 4 1992 ACKNOWLEDGEMENT State of <u>MASSACUSETTS</u> ss: County of NORFOLK 7th day of On this _, 1992, personally appeared before me GERARD S. CARLOZZI, to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth. Notary Public My commission expires May 20, 1994. WITNESS my hand and seal this 5^{+4} day of M_{AV} 1992 REEL L.S. ACKNOWLEDGEMENT 8660 FRAME State of <u>MASSACUSETTS</u> ss: County of NORFOLK On this 5 day of May, 1992, personally appeared before me <u>PAUL DiCARIO</u>, to me known, and known by me to __, 1992, personally be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth.

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Docket No. 31,534-02 WITNESS my hand and seal this 6^{th} day of 2th1992 L.S. ACKNOWLEDGEMENT State of <u>MASSACUSETTS</u> SS: County of NORFOLK On this <u>677</u> day of , 1992, personally appeared before me ALAN ATTRIDGE SMALL, to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth. Notary Publ Upp- 12-13-96 WITNESS my hand and seal this _____ day of 1992 REEL 122 L.S. James/N. Dwyer RECORDED 6660 FRAME PATENT AND TRADEMARK OFFICE ACKNOWLEDGEMENT MAY 14 1007 State of <u>CONNECTICUT</u> County of <u>FAIRFIELD</u> ss: On this 2^{1} day of 4^{1} day , 1992, personally to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth. Slanche I. Parnichonoly Notary Public BLANCHE I. PARZUCHOWSKI Page 6 of 6 pages NOTARY PUBLIC Fairfield County, Connecticut

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MY COMMISSION EXPIRES MARCH 31, 1993